

# Notice of Allowability

Application No.

09/943,956

Examiner

Andrew C. Lee

Applicant(s)

TANG ET AL.

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/24/2007.
2. ☒ The allowed claim(s) is/are 1, 2, 3, 6, 8, 11, 13 - 24, 26, 28, 30, 33, 34 renumbered 1 - 23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1, 2, 3, 6, 8, 11, 13 – 24, 26, 28, 30, 33, 34 renumbered 1 – 23 are allowed.

## **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance:

The prior art made of record, in single or in combination, does not disclose explicitly the limitations of:

“a first object defined by the network management system for representing that a batch process is requesting activity on the DSLAM switch; and a second object defined by the network management system for representing that a graphic user interface (GUI) operator is requesting activity on the DSLAM switch wherein a request of the GUI operator bypasses requests of the batch process and is processed with priority; wherein the first semaphore controls a first provision request flow at the element management system level and the second semaphore controls a second provision request flow at the DSLAM switch level” as disclosed in claim 1;

“wherein the first semaphore controls a first provision request flow at the means for managing the ADSL network element level and the second semaphore controls a second provision request flow at the means for multiplexing level; and wherein the system includes the means for managing the ADSL access network further comprising a first object whose attribute is defined by the means for managing the ADSL access network for representing that a batch process is requesting activity on the means for multiplexing the ADSL subscriber line and a second object whose attribute is defined by the means for managing the ADSL access network for representing that a GUI operator is requesting activity on the means for multiplexing the ADSL subscriber line wherein a request of the

Art Unit: 2619

GUI operator bypasses requests of the batch process and is processed with priority" as disclosed in claim 6;

"sending a provision request from a network management system to a DSLAM switch; determining whether a DSLAM level semaphore is available at the DSLAM switch; delaying when the DSLAM level semaphore is not available wherein the delaying is different between a GUI order and a batch order; determining whether an element management system level semaphore is available; and connecting the network management system to the DSLAM switch; wherein the GUI order bypasses the batch order and is processed with priority" as disclosed in claim 11;

"determining whether a provision request for a DSLAM switch was issued by a GUI operator; resetting an attribute associated with the provision request made by the GUI operator; determining whether a batch provision request acquired a semaphore; and delaying for a predetermined period when the batch provision request does not acquire the semaphore; wherein the provision request issued by the GUI operator bypasses the batch provision request and is processed with priority" as disclosed in claim 20.

"sending a provision request to the DSLAM switch to establish a virtual circuit; determining whether a DSLAM level semaphore is available at the DSLAM switch; determining whether an element management system level semaphore is available; connecting a network management system to the DSLAM switch in response to the DSLAM level semaphore and the element management system level semaphore being available; and delaying when the DSLAM level semaphore is not available; wherein, when the provision request comprises a request of a GUI operator, the request of the GUI operator is processed with priority and bypasses requests of a batch process" as disclosed in claim 28;

"a network management system in communication with an element management system that is in communication with the DSLAM switch, the network management system

including a control algorithm for controlling ADSL provision flow on a DSLAM switch by introducing a two level semaphore including a first semaphore and a second semaphore; and an object defined by the network management system for representing that a batch process is requesting activity on the DSLAM switch; wherein the first semaphore controls a first provision request flow at the element management system level and the second semaphore controls a second provision request flow at the DSLAM switch level" as disclosed in claim 33;

"means for managing an ADSL access network element in communication with means for multiplexing an ADSL subscriber line and in communication with means for managing the ADSL access network; and at least one of the following: the means for multiplexing the ADSL subscriber line; the means for managing the ADSL access network; and means for tracking a semaphore in communication with the control algorithm; wherein the means for managing the ADSL access network includes means for controlling ADSL provision flow on a DSLAM switch by introducing a two level semaphore including a first semaphore and a second semaphore; wherein the first semaphore controls a first provision request flow at the means for managing the ADSL network element level and the second semaphore controls a second provision request flow at the means for multiplexing level; and wherein the system includes the means for managing the ADSL access network further comprising an object whose attribute is defined by the means for managing the ADSL access network for representing that a batch process is requesting activity on the means for multiplexing the ADSL subscriber line" as disclosed in claim 34.

3. Additionally, all of the further limitations in claims 2, 3, 8, 13 – 19, 21 – 24, 26, 30, are allowable since the claims are dependent upon the independent claims.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2619

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571) 272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EDAN . ORGAD  
SUPERVISORY PATENT EXAMINER

*Edan Orgad* 10/15/07

/Andrew C. Lee/::<10/12/2007>